

# EPC COMMISSION MINUTES & AGENDA

MONTH January

YEAR 1989

## RECORD COPY

File Name ADM-1-1-1 EPC Meeting - Jan 1989Senders Initials. JS

MEETING AGENDA  
 ENVIRONMENTAL PROTECTION COMMISSION  
 WALLACE STATE OFFICE BUILDING  
 January 23-24, 1989

Meeting convenes at 1:30 p.m., January 23, 1989 in the fourth floor conference room and reconvenes on January 24, 8:30 a.m.

Appointment - Richard Braddock - American 2:00 p.m.  
 Break " - Mike Owen - ISU 2:45 p.m.

Public Participation 4:00 p.m.

Meeting reconvenes 8:30 a.m., January 24, 1989

Break 10:00 a.m.  
 Appointment - Vernon Kinsinger 10:15 a.m.  
 " - Chalfant 10:30 a.m.

1. Approve Agenda
2. Approve Minutes of November 21-22, 1988 and December 12-13, 1988.
3. Director's Report. (Wilson) Informational.
4. Monthly Reports. (Stokes) Informational.
5. State Revolving Fund Interagency Agreement. (Stokes) Decision.
6. Registry of Abandoned and Uncontrolled Sites - Annual Report, 1988. (Stokes) Informational.
- 7. ~~Proposed Rule Amendment Chapters 101, 102, 103, 104, 105, 106, Landfill Closure, Post Closure and Leachate Recovery System Rules. (Stokes) Informational.~~
8. Notice of Intended Action--Chapter 136, Underground Storage Tank Financial Responsibility. (Stokes) Decision.
9. Scepter Herbicide. (Combs) Decision.
10. Request for Lifetime Health Advisory for Dimethoate. (Combs) Informational.
11. Emergency Adopted Rule--Chapter 150, Hazardous Waste Site Licensing. (Combs) Decision.
12. Referrals to the Attorney General. (Combs) Decision.
  - (a) Chalfant/Miller/Laughlin (Webster City)
  - (b) McCabe's Supper Club (Burr Oak)
  - (d) Dumont Auto Parts (Dumont)
  - (e) Dallas Robinson (Mason City)
  - (f) Vernon Kinsinger (Kalona)

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13. Safety-Kleen Hazardous Site Licensing Orientation. (Combs) Informational.
14. Legislative Report. (Combs) Informational.
15. Solid Waste Planning Grant Applications. (Hay) Informational.
16. Report on Symposium - Iowa Corn Growers. (Commissioner Mohr) Informational.
17. Address Items for Next Meeting.
18. *Election of Vice-Chairperson*

NEXT MEETING DATES

February 20-21, 1989  
March 20-21, 1989  
April 17-18, 1989

ENVIRONMENTAL PROTECTION COMMISSION

Monday, January 23, 1989

NAME	COMPANY OR AGENCY	CITY
(Please print)		
Ninton Etchen	ITCA	D. M. Ia
Don Jensen	Corn Belt	Humboldt
Michael D. K. Owen	Iowa State University	Amos
Jane McAllister	Ahlens Law Firm	Dm IA
Dale Johnson	Farm Bureau Spokesman	WDM.
Frank Weaver	Iowa Power	Dan
Dave Dooley	IPS	Sioux City
Gary Johnson	FPS	" "
Jim Wood (Rep Paul Johnson)	Iowa State Legislature	P. H.
Larry Becker	NACD	East Peru
Rebecca Rasmussen	An. Cy	Ames, IA
Brian Campbell	attg	Des Moines
Sherry Rogula		Ames, Ia
Bill Brewer	CR Garrett	Dsm
HEE Kline	W Ho Radio	Dm
Bill Mahoney	Safety Kleen	Dm
Eileen Jurczak	" "	Elgin, IL
Ted Jaworski	Farm Bureau	WDSM
Robert O. Miller	<del>Safety Kleen</del> Soylent Technology	P. H.

ENVIRONMENTAL PROTECTION COMMISSION

NAME	COMPANY OR AGENCY	CITY
(Please print)		
LYLE MATHIESSEN	SAYLORTWP. FIRE DEPT	DM IA
Don Torney	Iowa Co Engr Assoc	Marengo
Jeff C. Hestwood	Am. Cyanamid	DM, IA

Tuesday, Jan. 24, 1989

Kerli Cherryholmes	Hyz Lab	Jawa City
JANE McALLISTER	ATLERS LAW FIRM	DM, IA
Jenny Mananiga	Malone Gove	
Ein Wood (Rep. Paul Johnson)	IA. State House	D. M.

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Minutes of the Environmental Protection Commission Meeting

January 23-24, 1989

Wallace State Office Building, Des Moines, Iowa

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JANUARY 1989 COMMISSION MEETING

The meeting of the Environmental Protection Commission was held in the Wallace State Office Building, Des Moines, Iowa, convening at 1:30 p.m. on January 23, 1989.

MEMBERS PRESENT

Gary Priebe, Nancy Lee Siebenmann, Robert Schlutz, Charlotte Mohr, Catherine Dunn, and Clark Yeager.

MEMBERS ABSENT

Donna Hammitt

ADOPTION OF AGENDA

Director Wilson asked that Item #15 be moved to follow Item #3 as Teresa Hay will not be present at the meeting tomorrow.

Election of Vice-Chairperson was added as Item #18.

Director Wilson asked that Item #7 be deleted; it will be presented next month.

The following appointments have been scheduled:

- January 23 - Richard Braddock at 2:00 p.m.
- January 23 - Mike Owen to follow Richard Braddock
- January 24 - Vernon Kinsinger at 10:15 a.m.
- January 24 - Milo Chalfant at 10:30 a.m.

*Motion was made by Clark Yeager to approve the agenda as amended. Seconded by Charlotte Mohr. Motion carried unanimously.*

ADOPTION OF MINUTES

*Motion was made by Nancy Lee Siebenmann to approve the minutes of November 21-22, 1988 and December 12-13, 1988 as presented. Motion carried unanimously.*

DIRECTOR'S REPORT

Director Wilson informed the Commission that, at 5:00 p.m. today, he will present a statement at a public hearing on underground storage tanks. Representative Jack Hatch and others will hold the hearing in the Speaker's conference room, behind the House chambers.

Director Wilson reported that the Governor, in his State of the State Message, put emphasis in the environmental area this year in addition to economic development and education. One of the first steps being taken by DNR is to start once again the process of recycling paper collected throughout the department. Other state agencies in the Capitol Complex are following suit.

SOLID WASTE PLANNING GRANT APPLICATIONS

Teresa Hay, Division Administrator, Waste Management Authority Division, presented the following item.

The solid waste planning grant program is designed to provide financial assistance to those entities required to complete a Comprehensive Solid Waste Management Plan in order to obtain or retain a sanitary disposal permit. This one-time grant program is funded by the \$.25/ton solid waste fee collected between July 1, 1987 and June 30, 1988. Approximately \$283,000 is available for this program.

Comprehensive Plans are intended to develop integrated waste management systems that are based on the waste management hierarchy established for the state. The Waste Management Authority Division has developed and distributed guidelines for the completion of these plans. Applications for funding assistance should closely follow these guidelines. In addition, applications will be rated on the extent to which the planning area is regionalized, the planning area's commitment to regionalization, and the extent to which the plan involves environmentally fragile areas which are particularly subject to groundwater contamination. Grants are to be awarded in a manner that will distribute the funds geographically throughout the state to the greatest extent possible.

Invitations for contract negotiations are to be made by January 20, 1989. Contracts for Commission approval will be on the February meeting agenda.

## PLANNING GRANT APPLICATIONS

Applicant	No. of Co.s	Grant Request	Total Project	Percent Eligible	Grant Amount	
Hardin County	1	\$1,250	\$2,500	50%	\$0	
Wright County	1	\$7,250	\$14,500	50%	\$0	
Humboldt County	1	\$7,500	\$15,000	50%	\$0	
Cherokee County	1	\$4,375	\$8,750	50%	\$0	
Buena Vista County	1	\$4,625	\$9,250	50%	\$0	
Rathbun Area	1	\$18,650	\$37,300	50%	\$9,740	
Wapello-Davis	2	\$18,750	\$25,000	75%	\$10,080	
SEMCO (Washington)	3	\$21,600	\$27,000	80%	\$12,045	
Central Iowa	4	\$34,000	\$40,000	85%	\$18,460	
Des Moines Metro	1	\$67,500	\$135,000	50%	\$34,165	*
SIMPCO (Sioux City)	3	\$77,088	\$96,360	80%	\$39,789	*
South Central Iowa	6	\$33,480	\$37,200	90%	\$19,230	
INRCOG (Waterloo)	4	\$42,500	\$50,000	85%	\$22,910	
West Central Iowa	6	\$25,200	\$28,000	90%	\$15,090	
ECICOG	6	\$92,108	\$102,342	90%	\$48,544	*
SICOG (Creston)	10	\$36,000	\$40,000	90%	\$22,150	
Bi-State (Davenport)	5	\$57,456	\$63,840	90%	\$30,803	*
<hr/>						
	56	\$549,332	\$732,042		\$283,006	

\* Require EPC approval

Article V. Scope of Work

- 5.1 The Plan must identify and describe the planning area. This description will include the location of existing solid waste management facilities, population centers, transportation routes, important natural features, and related information. Included should be a listing of the public and private entities involved in waste management and a description of each entities role.
- 5.2 The Plan must include a description of past local and regional planning activities and how this plan will impact those efforts. It must also describe how the current effort at regionalization has assisted the development of the Comprehensive Plan.
- 5.3 The Plan must assemble background data for the planning area. This data will include: solid waste generation rates, an analysis of the waste composition, and projections for future generation for the planning region for municipal and commercial generators.
- 5.4 The Plan must analyze the existing solid waste management system and will make projections for the future in terms of landfill capacities and disposal costs, including transportation costs.
- 5.5 The Plan must examine the potential for volume reduction at the source as a means of reducing the waste produced within the planning region. One component of a waste reduction strategy will be a public education effort.
- 5.6 The Plan must address the portion of the waste stream that currently is being recycled and all portions of the waste stream that have a potential for recycling. Each waste component listed on page 17 of the Planning Guidelines must be examined for its potential recyclability. Such an examination must include a market analysis and the potential for market development.
- 5.7 The Plan must result in the establishment of realistic goals for recycling along with projected dates and methods that will be utilized to meet these goals.
- 5.8 The Plan must address the potential for composting of the waste stream. Such an examination will include the possibility of co-composting solid waste and wastewater sludge, the methods of composting that may be used, and how the planning region intends to reduce yard waste from landfill disposal.
- 5.9 The Plan must then investigate the combustion of the remaining waste stream after waste reduction and recycling. Such an investigation will include a market analysis to identify potential energy consumers for refuse derived fuel, steam, or electricity that can be derived from a waste to energy facility.

- 5.10 The Plan must examine the potential role that combustion for volume reduction can play in the integrated waste management system.
- 5.11 The Plan must investigate the continued use of sanitary landfills in terms of future solid waste generation projections, anticipated capital and operating costs, anticipated regulatory requirements, and available disposal capacity.
- 5.12 In the case of a regional plan, an investigation into the consolidation of existing sanitary landfills and/or creation of a centralized landfill must be completed.
- 5.13 The Contractor must analyze the information gathered on alternatives and develop several integrated management systems for further consideration and a comparative cost analysis. This analysis, comparing the various systems and the status quo, should result in the selection of the optimum blend of alternatives.
- 5.14 The Plan must then detail the proposed system including a set of goals and objectives to be accomplished, the methods for meeting those goals, and a schedule for implementation of the plan. The resulting integrated management system should be a technically and economically feasible system that will result in minimal environmental impact.



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Teresa Hay distributed the listing of Planning Grant Applications, Scope of Work, and a map showing the geographical location of recommended recipients.

She explained that this is a one time grant program that was designed to provide financial assistance for preparation of Comprehensive Plans Part One.

Seventeen grant applications were received and were ranked based on evaluation criteria that had been set forth with request for proposals.

Ms. Hay pointed out that the department is recommending 12 of the 17 applicants be funded, and four of the applications are over \$25,000 which require the Commission's approval for a contract. Staff is asking approval for those applications today. Chairman Schlutz commented that the Commission would like to take a tour of one of the facilities.

Clark Yeager stated that since this item was offered as an informational item this month, with approval to be given at the February meeting, it should be handled that way.

*Motion was made by Clark Yeager to take no action today on the four applications over \$25,000, but to bring this back as a decision item next month. Seconded by Gary Priebe. Motion carried unanimously.*

MONTHLY REPORTS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The following monthly reports are enclosed with the agenda for the Commission's information.

1. Rulemaking Status Report
2. Variance Report
3. Hazardous Substance/Emergency Response Report
4. Enforcement Status Report
5. Contested Case Status Report

Members of the department will be present to expand upon these reports and answer questions.

IOWA DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION COMMISSION  
RULEMAKING STATUS REPORT  
JANUARY 1, 1989

PROPOSAL	NOTICE TO COMMISSION	NOTICE PUBLISHED	RULES REVIEW COMMITTEE	HEARING	SUMMARY OF COMMENTS & RECOMMENDATIONS TO COMMISSION	RULES ADOPTED	RULES PUBLISHED	RULE EFFECTIVE
1. Ch. 23 - NSPS/NESHAPS	12/21/88	1/11/89		1/31/89 2/01/89 2/02/89				
2. Ch. 60, 61 - Water Quality Standards	9/19/88	10/19/88	11/15/88	11/09/88 11/10/88 11/15/88 11/16/88				
3. Ch. 100, 103, 110 - Landfill Groundwater Monitoring	12/21/88	1/11/89		1/31/89 2/01/89 2/02/89				
4. Ch. 136 - UST, Financial Responsibility	1/23/89	*2/22/89		3/16/89				
5. Ch. 150 - NM Site Licensing	-----EMERGENCY RULE-----				1/23/89	1/23/89	*2/22/89	*1/26/89

\*Projected

## MONTHLY VARIANCE REPORT

12/31/88

No. Facility	Program	Engineer	Subject	Decision	Date
1 Corn Belt Pwr-Husboldt	Air Quality		Emission Standard	approved	12/01/88
2 Corn Belt Pwr-Spencer	Air Quality		Emission Standard	approved	12/01/88
3 Iowa State Univ.-Aaes	Air Quality		Explosives	approved	12/09/88
4 Positech Corp.-Laurens	Wastewater Oper.		Monitoring Frequency	approved	12/29/88



January 1989

## Environmental Protection Commission Minutes

## REPORTS OF HAZARDOUS CONDITIONS

During the period of December 1, 1988 through December 31, 1988, reports of 44 hazardous conditions were forwarded to the Central Office. Two incidents are highlighted, followed by a general summary and the number per field office. These do not include releases from underground storage tanks, which are reported separately.

Date Reported and County	Description: Material, Amount, Date of Incident, Cause, Location, Impact	Responsible Party	Response and Corrective Actions
12/20/88 Jasper	A sampling line valve was left open at One Dependability Square in Newton, Iowa on December 19 or 20, 1988, and 243 gallons of sodium hydroxide overflowed a five-gallon bucket and entered a floor drain that led to the sanitary sewer.	Maytag One Dependability Sq. Newton, Iowa 50208	The responsible party monitored pH in its sewer and made necessary adjustments in its treatment system before the material was discharged into the city's waste-water treatment plant. The city also monitored incoming flow.
12/28/88 Clinton	A valve was left open during the transfer of 67% nitric acid from one tank to another and 26,000 pounds of the product spilled into a diked area on Anamosa Road in Camanche, Iowa on 12/28/89.	Hawkeye Chemical Anamosa Road Camanche, Iowa 52730	The acid was neutralized with crushed limestone and processed through the plant's wastewater treatment system.

Numbers in Parentheses Represent Reports for the Same Period in Fiscal Year 1988

Month	Substance Type					Mode				
	Total # of Incidents	Petroleum Product	Agri. Chemical	Other Chemicals and Substances	Handling and Storage	Pipeline	Highway Incident	RR Incident	Fire	Other
Oct	47	20	8	19	25	0	14	3	0	5
Nov	55	27	9	19	35	3	12	1	0	4
Dec	44(46)	21(36)	3(3)	20(7)	29(39)	0(1)	9(2)	1(0)	1(0)	4(4)

Total # of Incidents Per  
Field Office  
This Period

01	02	03	04	05	06
4	3	7	6	11	13

## REPORTS OF RELEASES FROM UNDERGROUND STORAGE TANKS

During the period of December 1, 1988 through December 31, 1988, the following number of releases from underground storage tanks were identified.

34 (20)

The number in parentheses represents the number of releases during the same period in Fiscal Year 1987.

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## Environmental Protection Commission Minutes

January 1989

## Enforcement Report Update

The following new enforcement actions were taken last month:

Name, Location and Field Office Number	Program	Alleged Violation	Action	Date
Bianchi - Meyrat Lagoon, Des Moines (5)	Wastewater	Monitoring/Reporting	Order/Penalty	12/2/88
Fred's 66, Davenport (6)	Underground Tank	Remedial Action	Order/Penalty	12/2/88
Quality Plus Essar Corporation, Ft. Dodge (2)	Air Quality	Open Burning	Order/Penalty	12/2/88
Rolscreen Company, Pella (5)	Hazardous Condition	Remedial Action	Consent Order	12/2/88
Motel Grinnell, Inc., Grinnell (5)	Wastewater	Monitoring/Reporting - Discharge Limits, Operational Violations	Amended Order	12/2/88
City of Callender (2)	Wastewater	Bypassing	Amended Order	12/2/88
Lee Stinson, Iowa Falls (2)	Solid Waste	Open Dumping	Amended Order	12/2/88
Oto Water Supply (3)	Drinking Water	Monitoring - Radio-activity	Order/Penalty	12/5/88
Merle Kuppinger, Mason City (2)	Solid Waste	Open Dumping	Referred to AG	12/13/88
The Hayloft Tavern, Grant (4)	Drinking Water	Monitoring/Reporting - Bacteria	Referred to AG	12/13/88
Tonja Mobile Home Park, Council Bluffs (4)	Drinking Water	Monitoring/Reporting - Bacteria	Referred to AG	12/13/88
Lakeview Inn, Hamburg (4)	Drinking Water	Monitoring/Reporting - Nitrate	Referred to AG	12/13/88
Meadow Mist Motel, Oelwein (1)	Drinking Water	Monitoring/Reporting	Referred to AG	12/13/88
Wee Willy's, Quasqueton (1)	Drinking Water	Monitoring/Reporting - Bacteria & Nitrate	Order/Penalty	12/19/88
City of Neola (4)	Wastewater	Permit Condition Violations - Discharge Limits	Amended Order	12/19/88
Pony Creek Homeowners Assoc. Pacific Junction (4)	Drinking Water	MCL, Bacteria and Other Inorganics	Amended Order	12/19/88
Amoco Oil Company, Des Moines (5)	Underground Tank	Remedial Action	Order/Penalty	12/19/88
Sun Wise Systems Corp., Sac City (3)	Wastewater	Pretreatment	Order	12/19/88
City of Sac City (3)	Wastewater	Sludge Disposal, Pretreatment	Order	12/19/88
Miller Products Co., Osceola (5)	Wastewater	Pretreatment	Amended Order	12/19/88

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## Environmental Protection Commission Minutes

## Enforcement Report Update

The following new enforcement actions were taken last month:

Name, Location and Field Office Number	Program	Alleged Violation	Action	Date
Hickory Grove Mobile Home Park, Roland (5)	Wastewater	Monitoring/Reporting	Order/Penalty	12/19/88
City of Audubon (4)	Wastewater	Compliance Schedule, Discharge Limits	Order/Penalty	12/19/88
City of Adair (4)	Drinking Water	MCL, Radioactivity	Amended Order	12/19/88
City of Elgin (1)	Wastewater	MIP	Order	12/20/88
Clear Lake Sanitary District (2)	Wastewater	Compliance Schedule, Operational Violations	Order/Penalty	12/20/88
G.S. Marina, Coralville (6)	Drinking Water	Monitoring/Reporting - Bacteria	Amended Order	12/20/88
Dale Wetherell, Storm Lake (3)	Air Quality	Open Burning	Order/Penalty	12/22/88
City of Hopkinton (1)	Wastewater	Discharge Limits	Amended Order	12/22/88
City of Ogden (5)	Wastewater	MIP - Sludge Disposal	Order	12/22/88

## Summary of Administrative Penalties

The following administrative penalties are due:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
*Shelter Shield (Buffalo Center)	AQ	\$1,000	12-03-86
*JTM Indust./MacDade/Leamer (Pleasant Valley)	SW	1,000	8-12-87
*OK Lounge (Marion)	WS	448	11-01-87
*Richard Davis (Albia)	SW	1,000	2-28-88
*Ellie's Bar and Grill (Grand River)	WS	515	3-05-88
**Chico's Supper Club (Burr Oak)*	WS	283	7-10-88
Handi-Klasp, Inc. (Webster City)	WW/HC	1,000	8-02-88
*Merle Kuppinger (Mason City)	SW	500	8-20-88
**Don Scribner (Nashua)*	SW	900	8-21-88
**Lawrence Payne (Ottumwa)*	SW	475	10-23-88
Milo Chalfant, et. al. (Webster City)	AQ	1,000	11-23-88
Welcome Inn (Palo)	WS	215	12-04-88
Vernon Kinsinger (Kalona)	AQ	500	12-05-88
McCabe's Supper Club (Burr Oak)	WS	335	12-14-88
Dallas E. Robinson (Mason City)	SW	400	12-15-88
**Dumont Auto Parts (Dumont)	AQ	200	12-18-88
Mark Twain Meadows Homeowners (Muscatine)	WS	1,000	1-06-89
Randy's Bluffton Store (Decorah)	WS	100	1-10-89
Kerr McGee Corp. (Des Moines)	UT	1,000	1-11-89
Odessa Dells (Wapello)	WS	200	1-12-89
St. John's-Placid (Epworth)	WS	100	1-12-89
Stockton Water Supply	WS	100	1-15-89
Pony Creek Homeowners Assoc. (Glenwood)	WS	300	1-15-89
**Twelve Mile House (Bernard)*	WS	239	1-15-89
Spring Valley Park (Dubuque)	WS	200	1-30-89
Vernon Heights MH Court (Cedar Rapids)	WS	100	2-01-89
Bianchi-Meyrat Lagoon (Des Moines)	WW	1,000	2-06-89
Oto Water Supply	WS	200	2-08-89
City of Adair	WS	600	2-21-89
Hickory Grove Mobile Home Park	WW	520	2-21-89
City of Audubon	WW	1,000	2-21-89
AMOCO Oil Co. (Des Moines)	UT	1,000	2-22-89
Clear Lake Sanitary District	WW	1,000	2-22-89
Wee Willy's (Quasqueton)	WS	450	2-23-89
Dale Wetherell (Storm Lake)	AQ	700	2-27-89

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\*Referred to Attorney General  
 \*\*On Payment Schedule

## Environmental Protection Commission Minutes

January 1989

The following administrative penalties have been appealed:

NAME/LOCATION	PROGRAM	AMOUNT
Iowa City Regency MHP	WW	1,000
Thomas E. Lennon (Barnum)	FP	700
Great Rivers Coop (Atavia)	HC	1,000
1st Iowa State Bank (Albia)	SW	1,000
Stan Moser (Hudson)	SW	250
Cloyd Foland (Decatur)	FP	800
Land O' Lakes, Inc. (Ellsworth)	WW	1,000
City of Marcus	WS	1,000
Cindi's Chanti (Elgin)	WS	560
Bill Keough (Fertile)	AQ	700
Superior-Ideal, Inc. (Oskaloosa)	WW	1,000
City of Olds	WS	1,000
Miller Products Co. (Osceola)	WW	1,000
Linwood Mining and Minerals (Davenport)	AQ	600
Howard Gross (West Union)	FP	800
Arthur Pape (West Union)	FP	800
IBP, inc. (Columbus Junction)	WW	600
William C. Augustine (Rose Hill)	FP	1,000
Fred's 66 (Davenport)	HC	1,000

The following administrative penalties were paid last month:

NAME/LOCATION	PROGRAM	AMOUNT
Radcliffe Friendly Fairways (Radcliffe)	WS	100
*Mike's Prairie Home (Ollie)	WS	106
**Vernon Heights MHP (Cedar Rapids)* (Final)	WS	500
Pictured Rock Methodist Camp (Monticello)	WS	100
City of Moorland	WS	100
City of Lidderdale	WS	300
Stuckeys 287 Pecan Shop (Little Sioux)	WS	75
Humboldt Country Club (Humboldt)	WS	100
Natural Gas Pipeline Co. (Harper)	WS	100
Vernon Kinsinger (Kalona)	AQ	500
*The Hayloft Tavern (Grant)	WS	344
*Tonja Mobile Home Park (Council Bluffs)	WS	230
City of Elberon	WW	200
Obie's Hurtsville Tap (Maquoketa)	WS	100
63-180 Truckstop (Poweshiek Co.)	WW	1,105
North Pine Mobile Service Station (Davenport)	WS	215
Bahl Water Corp. #2 (Dubuque)	WS	100
*Lakeview Inn (Hamburg)	WS	200
*Reed's Interstate Sales Center (New Virginia)	WS	215
Motel Grinnell, Inc. (Grinnell)	WW	200
Clayton Co. Fairgrounds (Garnavillo)	WS	100
Lee Co. Solid Waste Management (Ft. Madison)	WS	600
Knollwood Mobile Home Court (Iowa City)	WS	75
City of Neola	WS	1,000
City of Ricketts	WS	100
City of Massena	WS	100
Quality Plus Essar Corp. (Ft. Dodge)	AQ	700
Meadow Mist Motel (Oelwein)	WS	100

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TOTAL \$7,665

The \$215 penalty assessed to G.S. Marina, Iowa City, has been rescinded.

\*Referred to Attorney General  
 \*\*On Payment Schedule

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## Environmental Protection Commission Minutes

ADMINISTRATIVE PENALTY SUMMARY

1-01-89

The table below summarizes administrative penalty assessments through December 1988. The penalty rules became effective in September 1985 and the first penalty order was issued in October 1985. Penalties are not due until at least 60 days after an order is issued, so collections did not start until approximately January 1, 1986.

The first column of this table is a rough breakdown of the environmental program and violation types for which penalties have been assessed. The next four columns state the dollar amounts collected during the stated time periods, and the number of cases in parentheses. Total collections are presented next. The last column states similar data for cases still pending as of January 1, 1989 (penalties appealed, delinquent or assessed but not yet due).

Violation Type	FY 86	FY 87	FY-88	FY 89-1st QTR	FY 89-2nd QTR	TOTAL FY89	PENDING
WW Discharge	\$ 1,400 (2)	\$12,950 (18)	\$ 9,900 (18)	\$ 2,250 (2)	\$ 2,105 (3)	\$ 4,355 (4)	\$ 3,000 (3)
WW Monitoring	815 (3)	1,610 ( 5)	4,892 (11)	---	1,825 (4)	1,825 (4)	2,520 (3)
WW Other	---	2,500 ( 3)	5,950 (11)	672 (2)	1,500 (2)	2,172 (4)	4,600 (5)
SW Permit	1,500 (4)	6,100 (11)	8,598 (12)	---	600 (1)	600 (1)	---
SW Open Dumping	1,250 (2)	4,000 ( 7)	4,175 (10)	750 (4)	100 (1)	850 (5)	5,525 (8)
Air Permit	2,600 (3)	3,950 ( 6)	9,275 (14)	800 (2)	2,000 (4)	2,800 (6)	1,600 (2)
Air Open Burning	625 (2)	3,650 ( 7)	5,250 (10)	350 (2)	1,200 (3)	1,550 (5)	3,100 (5)
WS Monitoring	1,859 (20)	7,178 (58)	11,186 (75)	4,835 (24)	5,255 (40)	10,090 (64)	4,530 (15)
WS Permit	598 (2)	---	3,225 (7)	---	700 (3)	700 (3)	3,415 (5)
Flood Plain	---	150 ( 1)	1,200 (2)	---	800 (1)	800 (1)	4,100 (5)
HC Notice	---	600 ( 1)	3,750 (7)	600 (1)	---	600 (1)	1,000 (1)
Water Use	---	---	150 (2)	---	---	---	---
Construction Permit	---	100 ( 1)	---	150 (1)	---	150 (1)	---
Underground Tanks	---	---	---	---	---	---	2,000 (2)
<b>TOTALS</b>	<b>\$10,647 (38)</b>	<b>\$42,788 (118)</b>	<b>\$67,551 (179)</b>	<b>\$ 10,407 (38)</b>	<b>\$ 16,085 (61)</b>	<b>\$26,492 (99)</b>	<b>\$35,390 (53)</b>

IPH-1.008/rg

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## Environmental Protection Commission Minutes

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DEPARTMENT OF NATURAL RESOURCES  
 ENVIRONMENTAL PROTECTION COMMISSION  
 ATTORNEY GENERAL REFERRALS  
 January, 1989

Name, Location and Region Number	New or Updated	Program	Alleged Violation	DNR Action	Status	Date
Aidex Corporation Council Bluffs (4)		Hazardous Waste	Release of Hazardous Substances	Referred to Attorney General	Referred	12/16/82
					EPA suit filed	2/26/87
					State intervention	3/05/87
					Motion to dismiss granted/denied	2/26/88
					Filed interlocutory appeal	3/11/88
					Argued in circuit court	11/14/88
ASPRO, Inc. Waterloo (1)		Air Quality	Excess Emissions	Order	Referred	2/16/88
Bozarth and Bell, Inc. Davenport (6)		Solid Waste	Open Dumping	Order	Referred	2/20/87
					Suit Filed	4/23/87
					Default Judgment \$7500	6/22/87
					Second lawsuit filed	8/07/88
					Motion to set aside overruled	10/30/87
					Funds condemned (\$2,628)	3/18/88
					Consent Decree	8/23/88
					Filed new case	11/01/88
					Paid \$1,500	12/15/88
					(owes \$500 by 2/15/89)	
Bryant, Robert E. Cherokee (3)		Wastewater	Prohibited Discharge	Order	Referred Suit Filed Bankruptcy Proceedings Discovery Proceeding	6/01/86 9/08/86
Cooper, Kenneth/Hunter Oil Minburn (5)		Storage Tank	Spill Cleanup	Order	Cooper Referred Hunter Referred	10/27/87 8/17/88
Davis, Richard & Sonia (5)		Solid Waste	Open Unpermitted Dumping	Referred to Attorney General	Referred	6/22/88
					Suit Filed	8/11/88
Farmers Cooperative Elevator Co. Radcliffe (2)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred	7/20/88
IBP, inc. (Langenfeld) Denison (4)		Wastewater	Prohibited Discharge	Order	Referred	11/17/87
Jerry Jansen Kellogg (5)		Fish Kill	Prohibited Discharge	Referred to Attorney General	Referred	10/20/88
King, James & Julia Warren County (5)	Updated	Flood Plain	Channel Change	Order	Referred Suit Filed Amended Order	8/20/87 12/19/88
Kuppingier, Merle Mason City (2)	New	Solid Waste	Open Dumping	Order/Penalty	Referred	12/13/88
Lakeview Inn Hamburg (4)	New	Drinking Water	Monitoring/Reporting Nitrate	Order/Penalty	Referred Penalty Paid	12/13/88 12/15/88
Leamer, Delbert: JTH Ind. Pleasant Valley (6)		Solid Waste	Open Dumping	Order/Penalty	Referred	11/17/87
Meadow Mist motel Oelwein (1)	New	Drinking Water	Monitoring/ Reporting Nitrate	Order/Penalty	Referred Penalty Paid	12/13/88 12/22/88
Poggenmiller, William et.al. Louisa County (6)		Flood Plain	Channel Change	Referred to Attorney General	Referred Suit Filed	3/20/87 6/25/87
Renslow, Donald Grand Junction (4)	Updated	Underground Tank	Failure to Monitor	Order	Referred Suit Filed	8/17/88 12/30/88
Salisbury, Ronald, Presto-X Des Moines (5)	Updated	Hazardous Waste	Treatment and Storage Violations	Referred to Attorney General	Referred	9/18/84
					Judgment	5/86
					Appealed to Sup. Court	7/86
Scribner, Don Washua (1)		Solid Waste	Open Dumping	Order/Penalty	Decided in our favorrt	12/23/87
					Judgement (\$4,000)	12/08/88
					Referred	7/20/99
					Motion for summary judgment	9/26/88
					Summary judgment granted	10/24/88

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DEPARTMENT OF NATURAL RESOURCES  
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 ATTORNEY GENERAL REFERRALS  
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Name, Location and Region Number	New or Updated	Program	Alleged Violation	DNR Action	Status	Date
Shelter Shield Buffalo Center (6)		Air Quality	Excess Emissions; Construction w/o permit	Order/Penalty	Referred Suit Filed Default Judgment \$7,500	2/20/87 6/30/87 12/22/87
The Hayloft Tavern Grant (4)	New	Drinking Water	Monitoring/Reporting Bacteria	Order/Penalty	Referred Penalty Paid	12/13/88 12/12/88
Tonja Mobile Home Park Council Bluffs (4)	New	Drinking Water	Monitoring/Reporting Bacteria	Order/Penalty	Referred Penalty Paid	12/13/88 12/12/88
63-180 Truckstop Poveshiek Co. (5)		Wastewater	Monitoring/Reporting, Discharge limitations, operational violations	Order/Penalty	Referred Suit Filed	8/17/88 11/22/88
Vernon Heights Mobile (1)	Updated	Drinking Water	Monitoring/Reporting, Bacteria	Referred to Attorney General	Referred Settled	6/22/88 12/29/88
University Park, City of (5)		Wastewater	MIP	Order/Penalty	Referred Suit Filed	9/28/88 11/14/88
Wilton Steel Processing (6)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred	5/17/88
Waterhouse, James & Berna Washington County (6)		Flood Plain	Channel Change	Referred to Attorney General	Referred Suit Filed Trial Set Summary Judgment Granted the State	3/16/87 5/13/87 5/13/88 9/30/88
Wolleson, Robert C. Buena Vista and Cherokee Counties (3)		Wastewater	Prohibited Discharge	Order	Referred Consent Decree Contempt Finding Contempt Finding Contempt Finding Contempt Finding Compliance Date	11/24/84 4/25/85 7/02/85 9/25/86 8/24/87 11/14/88 7/01/89
Woodland Park Jones County (1)	Updated	Wastewater Wastewater	Prohibited Discharge Prohibited Discharge	Order Order	Referred Suit Filed Temporary Injunction Trial Date Set Partial Summary Judgment Granted Penalty trial	7/31/86 11/09/86 2/13/87 1/17/88 11/22/88 1/17/89
Yocum, Max Johnson (6)	Updated	Flood Plain	Prohibited Construction	Defending  Referred to Attorney General	Suit Filed Motion to Dismiss Denied Referred Counter Claim Filed	12/18/84 3/06/85 8/07/85 7/12/85 10/85
					Trial Held Judgment for Department Appealed to Supreme Court Argued in Court of Appeals Affirmed Judgment Further review requested	6/16/87 8/18/87 3/01/87 9/19/88 11/29/88 12/19/88

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 DEPARTMENT OF NATURAL RESOURCES  
 ENVIRONMENTAL PROTECTION COMMISSION  
 CONTESTED CASES  
 January, 1989

DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
1-23-86	Delwein Soil Service	Administrative Order	WM	Landa	Hearing continued; cleanup study progressing.
6-12-86	ADM - Clinton	Administrative Order	Air	Landa	Hearing continued.
12-03-86	City of Kauke	Administrative Order	MS	Hansen	Amended Admin. Order to be issued.
12-11-86	Eloise Reese	Permit Condition	FP	Clark	Final decision 12-13-88.
5-12-87	Iowa City Regency MMP	Administrative Order	WM	Hansen	Hearing held 11-03-87.
6-11-87	Thomas Lennon	Administrative Order	FP	Clark	Appealed to District Court.
8-10-87	Great Rivers Co-op	Administrative Order	HC	Landa	Clean-up proceeding.
12-31-87	City of Tipton	Administrative Order	WM	Hansen	Amended order to be issued.
1-15-88	First Iowa State Bank	Administrative Order	SW	Kennedy	Continued. Settlement pending.
1-22-88	IBP, Fort Dodge	NPDES Permit	WM	Hansen	Negotiating before filing.
2-04-88	Beaverdale Heights, Woodsman; Westwood Mills	Administrative Order	SW	Landa	Continued pending resolution. Well constructed.
2-05-88	Warren County Brenton Bank	Administrative Order	UT	Landa	Phase I complete. Additional investigation necessary
3-01-88	Cloyd Foland	Administrative Order	FP	Clark	Final decision appealed 12-22-88.
4-13-88	Land O'Lakes, Inc.	Administrative Order	WM	Murphy	Negotiating before filing.
5-16-88	Marcus, City of	Administrative Order	MS	Landa	Negotiating before filing.
6-03-88	Neola, City of	Administrative Order	WM	Murphy	Settled 12/16/88.
6-22-88	Cindi's Chanti	Administrative Order	MS	Murphy	Negotiating before filing.
6-23-88	Bill Keough	Administrative Order	AQ	Landa	Settlement negotiations.
7-01-88	Olds, City of	Administrative Order	MS	Landa	Negotiating before filing.
7-01-88	Superior Ideal, Inc.	Administrative Order	WM	Hansen	Hearing continued pending settlement discussions.
7-25-88	Nishna Sanitary Service, Inc.	Permit Conditions	SW	Landa	Hearing continued. Settlement proposed.
7-25-88	Aspro, Inc.	Operation Permit	WM	Landa	Hearing continued. Settlement proposed.
7-25-88	The R.J.S. Enterprises Corp. and Ralph J. Hobbs	Administrative Order	AQ	Landa	Hearing continued. Settlement proposed.
8-03-88	Wardin County	Permit Conditions	SW	Landa	Hearing continued.
8-10-88	Dennis Elwell Investment Co.	Construction Permit	WM	Hansen	Hearing continued. Settlement negotiations.
8-12-88	Elberon, City of	Administrative Order	MS	Clark	Appeal withdrawn.
9-01-88	Linwood Mining & Minerals Corp.	Administrative Order	AQ	Landa	Hearing continued.
9-27-88	City of Noden	Permit Condition	MS	Hansen	Negotiating before filing.
9-28-88	Deere & Company	SMA Denial	SW	Landa	Hearing continued.
10-03-88	A. Gross/H. Pape	Administrative Order	FP	Clark	Negotiating before filing.
10-06-88	Mecha Caba Subdivision	Permit Revision	MS	Hansen	Hearing set for 1-17-89.
10-03-88	IBP, Columbus Junction	Administrative Order	WM	Clark	Hearing continued.
10-10-88	Pony Creek Homeowners	Administrative Order	MS	Murphy	Settled.
10-20-88	North Co. Co-Op Oil Northwood Cooperative Elevator Sunray Refining and Marketing Co.	Administrative Order	HC	Landa	Hearing continued.
11-14-88	William C. Augustine	Administrative Order	FP	Clark	Negotiating before filing.
11-22-88	Lake Shore Drive, Inc.	Administrative Order	FP	Clark	Negotiating before filing.
11-30-88	Forest Ridge Youth Shelter	Permit Conditions	MS	Hansen	New Case.
12-02-88	Edward Cain	Permit Denial	FP	Clark	Hearing set for 2-07-89.
12-02-88	Davis Co. Board of Supervisors	Administrative Order	AQ	Landa	New Case
12-05-88	Larry Dittmer	Administrative Order	AQ	Landa	New Case.
12-05-88	City of Stockton	Administrative Order	MS	Landa	New Case. Settled.

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Chairman Schlutz commented that he thought there had been a departmental legislative proposal to put monies collected from administrative penalties into the department's fund rather than the general fund.

Clark Yeager stated that he thought it had been discussed sometime prior to this year.

This was an informational item; no action was required.

STATE REVOLVING FUND INTERAGENCY AGREEMENT

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The department requests that the Commission authorize the Director of the Department of Natural Resources to enter into an agreement with the Iowa Finance Authority(IFA), under Chapter 28E of the Iowa Code, for the administration of the State Revolving Fund. The State Revolving Fund is a program to assist municipalities in constructing wastewater facilities. This agreement clarifies the cooperative effort of the Department and the IFA in administering the State Revolving Fund program. The agreement is to be included in our grant application to the US EPA. A copy of the agreement is attached (shown on the following 7 pages).